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"THE UGANDA MILITARY FORCE ORDINANCE, 1899."

IN pursuance of Article 15 of "The Africa Order in Council, 1889," I do hereby order that "The Gold Coast Constabulary Ordinance, 1879," and the Ordinances with which that Ordinance is to be read and construed, shall, with the modifications and adaptations appearing in the copy annexed hereto, have effect and be administered in the Uganda Protectorate, and shall be entitled "The Uganda Military Force Ordinance, 1899."

The Order of the 1st day of September, 1895, bringing into force "The Uganda Rifles Ordinance, 1895," is hereby revoked, and that Ordinance is hereby repealed, but the provisions of that Ordinance relating to pay and gratuities shall continue in force with respect to any men who enlisted under that Ordinance, and do not re-enlist under the Ordinance annexed hereto.

A copy of this Order and of the annexed Ordinance shall be forthwith publicly exhibited in the Consular Office of the Protectorate.

(Signed) SALISBURY.

Foreign Office,
February 20, 1899.

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UGANDA PROTECTORATE.

"*The Uganda Military Force Ordinance*, 1899."

Preliminary.

Short title.

1. THIS Ordinance may be cited as "The Uganda Military Force Ordinance, 1899."

Interpretation.

2. In this Ordinance, unless the context otherwise requires—

"The Commissioner" means Her Majesty's Commissioner and Consul-General, or other officer for the time being administering the Government of the Uganda Protectorate.

"Commandant" means the officer for the time being in chief command of the Uganda Military Force.

"Native officer" means any officer (other than European) above the rank of sergeant-major.

"Consular officer" means any person acting by virtue of Her Majesty's commission, or with the authority or approval of a Secretary of State, as Consul-General, Consul, Vice-Consul, or Consular Agent.

Where this Ordinance confers any power or imposes any duty, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.

I.—*Constitution and Government of the Force.*

Constitution of the Uganda Military Force.

3. The Commissioner may maintain a force to be called the Uganda Military Force (in this Ordinance also referred to as "the force"), which shall be constituted, as respects the number and status of officers and men, in accordance with any instructions which the Commissioner may receive from a Secretary of State.

British officers and non-commissioned officers will be appointed by the Secretary of State, but may be appointed temporarily or provisionally by the Commissioner, subject to the subsequent approval of the Secretary of State.

Appointments and promotions.

Native officers will be appointed and promoted by the Commandant, with the sanction of the Commissioner, and native non-commissioned officers and men by the Commandant or by an officer delegated by him.

British non-commissioned officers will be under the orders of British officers only, and will be considered "instructors" unless specially selected for a particular duty by the Commandant.

Application to force serving without the Protectorate.

4. The provisions of this Ordinance shall extend to and apply to all persons serving in the force while they are employed beyond the limits of the Protectorate, so far as circumstances admit.

Duties of Commandant and officers.

5. The Commandant, subject to the orders and directions of the Commissioner, shall have the command, direction, and general superintendence of the Force.

The officers, native officers, and non-commissioned officers shall have such command or superintendence, and shall perform such other duties connected with the force, as the Commandant may direct.

Commandant responsible for stores.

6. The Commandant shall be responsible and accountable for all public stores, of whatever description, belonging to, or appertaining to, the force in case of their being lost, spoiled, or damaged, except by unavoidable accident, theft, robbery, or actual service.

Responsibility for stores of officers commanding detachments.

7. Every officer, or native officer, or non-commissioned officer in command of any body of the force, and where there is a detachment without any officer, the District Protectorate officer, shall be responsible for the arms, accoutrements, ammunition, clothing, and other public stores, and for all public moneys issued and delivered for the use of such body or detachment, and shall account for such arms, accoutrements, ammunition, clothing, and stores to the Commandant in case of their being lost, spoiled, or damaged, except by unavoidable accident, theft, robbery, or actual service, and to the Paymaster for such public moneys in case of their being lost, except by unavoidable accident, theft, or robbery.

Duty and responsibility of Paymaster.

8. The Paymaster shall have charge of all monetary transactions in connection with the force, and be responsible for all public moneys intrusted to his care, or that shall come into his possession. He shall have the immediate custody of and account to the Commandant for all spare arms, accoutrements, clothing, necessaries, ammunition, and other Government stores not issued for service, and he shall issue the same upon the requisition of the Commandant, or in accordance with the prescribed Regulations.

Power to make Regulations.

9. Subject to the provisions of this Ordinance, the Commissioner may make, alter, and revoke Regulations (in this Ordinance referred to as the "prescribed Regulations") for any or all of the following purposes, that is to say:—

(1.) The prevention of neglect and abuses, and the efficient discharge of their duties by the force.

(2.) The form and method of enlistments and appointments in the force.

(3.) The pay of the force, and the fiscal duties to be performed by the Paymaster and other officers, as well of the force as of the Treasury Department, with relation to the force. Every such Regulation shall come into operation upon the publication thereof, or at such time as shall be therein provided, and shall be subject to disallowance by a Secretary of State.

(4.) The Government prisons and lock-up houses in which any members of the force may be confined, and any matters relating to diet, custody, labour, occupation, and discipline in or in relation to the same.

II.—*Enlistment and Discharge.**

First term of engagement and rates of pay.

10. Every private shall be enlisted, for the first term of his engagement, to serve in the force for four years, to be reckoned from the day on which he shall have been finally approved for service and taken on the strength of the force.

All members of the Uganda Rifles may re-enlist under this Ordinance, and the period of service from the enlistment under "The Uganda Rifles Ordinance, 1895," until such re-enlistment shall be reckoned as service under this Ordinance.

* These Regulations do not apply to soldiers recruited from the Indian Army, for whose conditions of service, see para. 40.

Re-engagements.

11. Any native officer, non-commissioned officer, or private of good character, who at any time has completed, or is within six months of completing, the first term of his engagement, may, with the approval of the Commandant, re-engage to serve for a second term of four years from the expiration of the first term of his engagement, and may re-engage for further periods of four years from time to time.

Declaration on enlistment, &c.

12. Every man enlisting, re-engaging, or re-enlisting in the force as aforesaid shall, previous to his being approved or re-engaged, make and sign the following declaration, and shall confirm such declaration by oath in his native language in such manner as he may declare to be most binding upon his conscience:—

"I, A. B., do hereby solemnly declare and promise that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, and that I will faithfully serve and defend Her Majesty the Queen, her heirs and successors, and the Government of the Uganda Protectorate, for a period of four years, provided Her Majesty should so long require my services, and that I will obey all orders of Her Majesty and of the officers placed over me, and subject myself to all laws relating to the Uganda Military Force now in force, or which may from time to time be in force within the said period.

"[Signature or mark.]

"Declared at , this
day of , 189 , before me

"[Signature of Officer commanding Battalion.]"

Officer

The declaration and oath shall be made before the Senior Officer of the force for the time being at the station at which the declaration and oath are made, and such declaration shall be preserved as a part of the enlistment papers of every person enlisting, re-engaging, or re-enlisting.

Prolongation of service terminating during war.

13. Any native officer, non-commissioned officer, or private, whose period of service expires whilst a state of war exists between Her Majesty and any foreign Power or any African State or tribe, may be detained and his service prolonged for such further period not exceeding twelve months as the Commandant directs.

Discharge on completion of service.

14. Subject to the provisions of sections 11 and 15, every native officer, non-commissioned officer, and private who has completed his period or periods of engagement or service according to the provisions of this Ordinance, shall be discharged by the Commandant, unless at the expiration of any period he is undergoing punishment for or stands charged with the commission of any offence under this Ordinance, and in case he is undergoing such punishment, or is charged with any such offence, his service shall be prolonged and his discharge deferred until such punishment shall have terminated, or until he has undergone his trial and any punishment awarded in respect of the offence with which he is charged.

Native officers, &c., may be discharged with gratuities.

15. Any native officer, non-commissioned officer, or private, who, in the opinion of the Commandant, is unfit for service, may be discharged from the force at any period of his service, receiving a gratuity in accordance with the scale in section 21, unless such discharge is in consequence of his misconduct.

Men subject to this Ordinance until formal discharge.

16. Every native officer, non-commissioned officer, and private, until he has received his certificate of discharge, shall remain subject to this Ordinance, and to the prescribed Regulations.

Rules for reckoning service.

17. In reckoning the service of any native officer, non-commissioned officer, or private for discharge, there shall be excluded therefrom all periods during which he has been absent from his duty from any of the following causes:—

(*a.*) Imprisonment for any cause save that of detention awaiting any trial which shall result in the acquittal or discharge of the prisoner.

(*b.*) Imprisonment with hard labour.

(*c.*) Desertion for any period.

(*d.*) Absence without leave exceeding forty-eight hours.

Withdrawal before discharge prohibited.

18. No native officer, non-commissioned officer, or private shall withdraw himself from the force before he is lawfully discharged, and if any native officer, non-commissioned officer, or private shall so withdraw himself before his discharge shall have been duly allowed and granted, he shall be liable to be tried and punished for desertion.

Gratuities on discharge.

19. Gratuities at the following rates, in lieu of pension, shall be granted to native officers, non-commissioned officers, and privates on discharge

after a continuous good service extending to a period of twelve years, viz. :—

	Rs.
To native officers	600
To sergeant-majors	300
To sergeants	150
To corporals	120
To privates	90

And at the following rates, after a total continuous good service extending to twenty years, viz. :—

	Rs.
To native officers	900
To sergeant-majors	450
To sergeants	225
To corporals	180
To privates	108

The Commissioner on the recommendation of the Commandant may in any case, if he thinks fit, in lieu of any such gratuity, make a grant of land of such extent as appears to him to be equivalent in value to the gratuity, and in every such case the person receiving such grant of land shall be entitled to rations, or pay in lieu of rations, for a period of six months from the date of his discharge.

No increase of gratuities for service over twenty years.

No increased rates of gratuity shall be paid in respect of any period of service in excess of a total service of twenty years, and no member of the force who has received a gratuity on discharge shall, in the event of his afterwards re-enlisting, receive in respect of his service after such re-enlistment any higher gratuity than may, together with such first gratuity, be equal to the gratuity which he would have earned by continuous service for twenty years.

If discharged before completing service.

Where any native officer, non-commissioned officer, or private is discharged as unfit for further service before completing such continuous period as will entitle him to gratuity, he may receive such proportion of the gratuity which he would have earned if he had completed the period of service he is then passing through as the Commandant may in his discretion determine.

Payment of gratuities in case of death.

20. In the event of the death of any member of the force who has earned a gratuity under the last preceding section before the receipt by him of such gratuity, it shall be lawful for the Commandant to direct and cause the amount thereof to be paid to, or for the benefit of, the

widow or widows, or child or children, or to any next of kin of the member of the force so dying as aforesaid, on such conditions, and, if to or for the benefit of more than one person in such proportions as the Commandant may direct.

Consequences of discharge or dismissal.

21. Whenever any person appointed to the force ceases to belong to it, all powers and authorities vested in him shall immediately cease, and determine, and he shall, before his certificate of discharge is delivered to him, deliver over the arms, ammunition, accoutrements, uniform, and other appointments which may have been supplied to him as a member of the force, and at such time and place as shall be directed by the officer under whose command he may be at the time of ceasing to belong to the force.

III.—*Civil Powers and Duties.*

Officers to be Justices of the Peace.

22. The Commandant and every European officer of the force shall be a Justice of the Peace throughout the Protectorate.

Selected members of the force to act as constables.

23.—(1.) Such members of the force as may be selected by the Commandant and approved by the Commissioner shall have and exercise all the powers of constables under the laws of the Protectorate for the time being.

(2.) Any member so acting as constable may, without warrant, apprehend any person found committing any offence, or who is reasonably suspected of having committed felony, and take him with all reasonable speed before a Magistrate, to be dealt with according to law. Where the arrest is made by night, such person may be detained in custody in any lock-up or other convenient place until the following day.

(3.) Members of the force while acting as constables shall wear a distinctive mark or badge, to be approved by the Commissioner.

(4.) The Commissioner may at any time direct that any member so approved shall cease to act as a constable.

IV.—*Offences and Punishments.*

Punishment of certain offences.

24. The provisions of the Army Act of the Imperial Parliament relating to offences shall apply to all native officers, non-commissioned officers and privates; provided that these Regulations shall be followed in cases where their provisions differ from the Army Act.

The powers of courts-martial and of officers commanding battalions and detachments shall include a power to inflict corporal punishment not exceeding twenty-four lashes, provided that this power shall not be exercised by Commanding Officers when a court-martial can be assembled.

Apprehension of deserters.

25. Upon reasonable suspicion that any person is a deserter, any member of the force or other person may apprehend him, and forthwith bring him before the Magistrate for the district wherein he was found, who shall deal with the suspected deserter as if he were brought before him by warrant under "The Africa Order in Council, 1889." Upon its appearing to such Court by the testimony of one or more witnesses or by the confession of the accused, that the accused is a deserter, the Court shall cause him to be conveyed to the nearest detachment of the force and delivered over to the officer in command thereof, together, with an office copy of the proceedings, and of the evidence taken by the Court, and such officer shall deal with the case in accordance with the provisions of this Ordinance.

V.—*Offences relating to Members of the Force.*

Inducing members of the force to desert.

26. Any person who by any means directly procures or persuades, or attempts to procure or persuade, any member of the force to desert, or who aids, abets, or is accessory to the desertion of any member of the force, or who, having reason to believe that any man is a deserter from the force, harbours such deserter, or aids him in concealing himself, shall be punished with imprisonment, with or without hard labour, for a term not exceeding six months, and shall, in addition, be liable to a fine not exceeding 10*l*.

Inciting to mutiny, &c.

27. Any person who aids, abets, or is accessory to any mutiny, sedition, or disobedience to any lawful command of a superior officer, by any member of the force, or endeavours to seduce any member of the force from his allegiance or duty, shall be punished with imprisonment, with or without hard labour, for a term not exceeding two years, and shall, in addition, be liable to a fine not exceeding 50*l*.

Resisting members of force in their duty : penalty.

28. Any person who assaults, or resists, or aids, or incites any other person to assault or resist any officer or private of the force in the

execution of his duty shall be liable to a fine not exceeding 20*l.*, or may be tried and punished upon information for a misdemeanour.

Unlawfully harbouring members of the force: penalty.

29. If the keeper of any house or place for the sale of liquor, whether spirituous or otherwise, by himself or by any person in his employment, knowingly harbours or entertains any native officer, non-commissioned officer, or private of the force, or permits him to abide or remain in his house, or store-room, or other place, during any portion of the time appointed for his being on duty or service, the keeper of such house or place shall for every such offence be liable to a fine not exceeding 5*l.*

Unlawful possession of arms, &c.: penalty.

30. Any person who shall knowingly detain, buy, exchange, or receive from any member of the force, or deserter, or any person acting for or on his behalf, or who shall solicit or entice any member of the force, or who shall be employed by any member of the force, or deserter, knowing him to be such, to sell, put away, or dispose of any arms, ammunition, clothing, accoutrements, medals, or other appointments furnished for the use of the force, or who shall have in his possession any such arms, ammunition, clothing, accoutrements, medals, or appointments, and shall not give a satisfactory account as to how he came by the same, shall be liable to imprisonment with hard labour for a period not exceeding twelve calendar months, or to a fine not exceeding 20*l.*

Personating members of force: penalty.

31. Whoever, not being a member of the force, or being a deserter therefrom, puts on the dress or accoutrements of a person serving in the force, or part thereof, or any dress intended to simulate that of the force, or part thereof, or any medal or badge which he is not authorized to wear, or takes the name, designation, or character of a person appointed to or serving in the force, for the purpose of thereby doing, or obtaining to be done, any act which he would not be entitled to do, or procure to be done, of his own authority, or for any other unlawful purpose, shall be guilty of an offence punishable with imprisonment, with or without hard labour, for a term not exceeding six months, or with a fine not exceeding 50*l.*, or with both.

VI.—*Execution of Sentences.*

Execution of sentence of imprisonment.

32. Any sentence of imprisonment, or of imprisonment with hard labour, imposed upon

any member of the force for any offence under this Ordinance, may be carried out in any prison, or in any lock-up house or cells which for that purpose may be attached to any fort or barracks. A sentence passed upon any person subject to this Ordinance shall be in no respect affected by such person ceasing to be subject to this Ordinance by discharge or otherwise.

Gaolers to carry out sentences on order of Commandant, &c.

Every gaoler shall receive into his custody and carry out the sentence upon any member of the force sentenced to imprisonment, or imprisonment with hard labour, for any offence under this Ordinance, upon an order in writing in that behalf being delivered to him under the hand of the Commandant or Senior Officer present or Protectorate officer imposing the sentence, which order shall specify the offence, and the period of imprisonment, or of imprisonment with hard labour.

Persons undergoing sentences deemed criminal prisoners.

Every person whilst undergoing such sentence of imprisonment, or imprisonment with hard labour, shall be deemed and dealt with as a criminal prisoner.

Pay not to accrue during imprisonment under sentence.

33. No pay shall accrue or become due to any member of the force in respect of any period during which he is undergoing any sentence of imprisonment, imprisonment with hard labour or penal servitude, or is detained in prison awaiting any trial which results in his conviction either for any offence against discipline, or for any felony or other offence of whatsoever nature. Where he is detained in prison awaiting any trial which results in his acquittal, there shall be deducted from his pay accruing during such detention a sufficient amount to defray the expense of his diet and maintenance in prison, but no other deduction shall be made.

Rule if detained for trial and acquitted.

Presence of medical officer at corporal punishments.

34. Except as in this section provided, no sentence of corporal punishment imposed under this Ordinance shall be carried out except in the presence and under the directions of a medical officer, who shall first certify that, in his opinion, the offender is in a fit state to undergo the same.

Where it is impracticable to obtain the presence of a medical officer, the duties imposed by this section shall devolve upon the senior officer of the force present at the station or place.

Fines to be recovered from members of the force by stoppages.

35. All fines imposed upon members of the force for offences under this Ordinance shall be recovered by stoppages from the offender's pay

due at the time of committing such offence, or thereafter accruing due, and not from any other source or in any other manner.

The amount of stoppages.

The amount of stoppage in respect of any fine shall be in the discretion of the officers authorized to impose fines, in no case exceeding one-third of the daily pay of the offender, and whenever more than one order of stoppage for any cause is in force against the same person, so much only of his pay shall be stopped as shall leave him a residue of at least two-thirds of his daily pay.

Where members of the force under more than one order of stoppage, later orders may be postponed.

When more than one order of stoppage is made upon the same person, the order or orders later in date shall, if necessary, be postponed as to their enforcement until the earlier orders are discharged.

Application of fines on members of the force.

36. All fines recovered from members of the force shall be paid over to the Treasury of the Protectorate to be applied towards a fund for the benefit of members of the force, subject to such regulations as the Commissioner may approve.

Procedure where offences committed by other persons.

37. All offences under this Ordinance committed by persons not members of the force shall be prosecuted, and all sentences imposed on such persons shall be carried into effect in manner provided by "The Africa Order in Council, 1889," and the amount of any fines recovered shall be disposed of as therein directed.

Application of fines.

VII.—*Miscellaneous.*

Member not to be taken from service except for felony or misdemeanour.

38. Any native officer, non-commissioned officer, or private serving in the force shall be liable to be taken out of such service only by process or execution on account of any charge of felony or misdemeanour.

Provided that any *bonâ fide* apprentice duly bound by indenture in writing for a term of at least three years, who may have enlisted in the force, shall be returned to his master's service if the master shall make application to the Commandant within sixty days after his enlistment, and shall prove the indenture to the satisfaction of the Commandant, or before a Sub-Commissioner or District officer of the Protectorate, and such enlistment shall thereupon be cancelled.

Judgment debts of members of the force.

39.—(1.) Any plaintiff, upon notice of the cause of action first given in writing to the officer under whose command the defendant is serving at the date of service of the writ of

summons, may proceed in any action to judgment, but shall not be entitled to have the defendants arrested and imprisoned in default of sufficient distress, or to have execution against the pay due, or accruing due, to the defendant (except as next after mentioned).

(2.) The pay of any native officer, non-commissioned officer, or private of the force due or accruing to him at the date of any judgment, or afterwards, shall not be arrestable upon any civil process, except in respect of any debt or liability which he may have incurred within one year next before being appointed to, or his enlistment in, the force, and for such debt or liability, when constituted by Decree, his pay may be arrested, to an extent not exceeding one-third thereof. Where an order for such arrestment is made, the Court making the order shall give notice thereof to the Paymaster, and thereupon the amount ordered shall be stopped out of the judgment debtor's pay to the extent aforesaid until the amount of the Decree is made good.

Enlistment and rates of pay of Indian contingent.

40. Soldiers of the Indian army may be temporarily attached to the force for such periods and on such terms as regards pay, gratuities, and otherwise as may be sanctioned by the Government of India; and all such soldiers shall during their service in the Protectorate be subject to the provisions of the same military laws (with all necessary modifications) to which they would be subject in India.

Subject as aforesaid, soldiers of the Indian army while so attached shall be deemed to be members of the Uganda Military Force.

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The Uganda Military Force Ordinance, 1899. 20 Feb. 1899. TS Selected Foreign Office Files on Africa. The National Archives (Kew, United Kingdom). Nineteenth Century Collections Online. Web. 2 May 2016.

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